

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**M E M O R A N D U M**

October 31, 1996

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)  
**FROM:** DIVISION OF COMMUNICATIONS (FOGLEMAN) *H.F.*  
DIVISION OF LEGAL SERVICES (RAMBANA) *(Brown) MCB*  
**RE:** DOCKET NO. 960966-TL - PETITION FOR WAIVER OF APPLICABLE  
COMMISSION ORDERS RELATING TO ASSIGNMENT OF N11 CODES BY  
BELLSOUTH TELECOMMUNICATIONS INC.  
**AGENDA:** 11/12/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE  
**CRITICAL DATES:** NONE  
**SPECIAL INSTRUCTIONS:** S:\PSC\CMU\WP\960966TL.RCM

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**CASE BACKGROUND**

On August 21, 1996, BellSouth Telecommunications, Inc. (BellSouth) filed a petition with the Florida Public Service Commission (the Commission) for a waiver of certain provisions relating to the assignment of an N11 code contained in Order No. PSC-93-1620-FOF-TL. Currently, when an N11 subscriber discontinues service, the N11 code is reassigned to the next customer on the waiting list. The present subscriber to the 211 code in the Tier 1 calling area has experienced service problems since the inception of his N11 service. BellSouth is petitioning the Commission to allow it to reassign the current user of 211 to the next number that becomes available, rather than to the next customer on the waiting list.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should BellSouth's petition for a partial waiver of the portion of Order No. PSC-93-1620-FOF-TL regarding the assignment of N11 codes be approved?

**RECOMMENDATION:** Yes, BellSouth's petition for a partial waiver of the portion of Order No. PSC-93-1620-FOF-TL regarding the assignment of N11 codes should be granted.

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FPSC-RECORDS/REPORTING

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**STAFF ANALYSIS:** On August 21, 1996, BellSouth filed a petition with the Commission requesting a waiver of the provisions in Order No. PSC-93-1620-FOF-TL relating to the assignment of an N11 code. This order also specified the general rate structure for N11 codes, the area in which N11 code services were to be provided, and conditions for exemptions of N11 services. Since the initiation of N11 service, the subscriber to code 211 in the Tier 1 (South Florida) calling area has experienced service problems. The specific problem encountered by the subscriber is phantom calls. Phantom calls are defined by BellSouth as noises on its lines which are interpreted by its equipment to be tones that are to be routed to the 211 code. When the 211 subscriber answers the calls, no party is at the other end. Because the subscriber pays for each call, he was being charged for calls he claimed he did not receive. BellSouth has been issuing credits to the customer's bill to reflect these phantom calls. According to BellSouth, these service problems are exacerbated by bad weather. BellSouth has repeatedly attempted to diagnose and correct the problem but has been unsuccessful. The exact cause of this phenomenon is unknown. At this time, BellSouth has indicated that its facilities do not permit provision of N11 service through the 211 code in the Tier 1 calling area.

The current subscriber to the 811 code in the Tier 1 calling area is expected to discontinue service in the near future. When an N11 subscriber discontinues service, Order No. PSC-93-1620-FOF-TL specifies that the N11 code is to be reassigned to the next customer on the waiting list. Presently, there is a waiting list for the next available N11 code in the Tier 1 calling area. BellSouth is petitioning the Commission to grant a partial waiver of Order No. PSC-93-1620-FOF-TL relating to assignment of N11 codes solely for the purpose of assigning the 811 code in the Tier 1 calling area, when it becomes available, to the current holder of the 211 code.

Since the current holder of the 211 code complied with the process of code selection to receive his current code and through no fault of his own has experienced problems with the code, staff believes this petition for waiver is appropriate, and should be granted.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order from this recommendation, the order shall become final.

STAFF ANALYSIS: Yes, if no person whose substantial interests are affected files a protest within 21 days of the issuance date of the order from this recommendation, the order shall become final.